

§ 165.T01-195 Security Zone: USS JOHN F. KENNEDY, North Jetty, Boston Harbor, Boston, MA.

(a) *Location.* The following is a security zone: All waters of Boston inner harbor at the North Jetty, South Boston, bounded as follows: Beginning at approximate 42°20'53" N, 071°01'34" W; then running to 42°20'56" N, 071°01'32" W; along the western edge of Boston Harbor South Channel then running to 42°20'51" N, 071°01'23" W; then running to 42°20'49" N, 071°01'24" W; then running along the pier face to the point of beginning. All coordinates are NAD 1983.

Effective dates. This section is effective from July 10, 2000 through July 16, 2000.

(b) *Regulations.* The following regulation applies: Vessels may not enter the security zone unless authorized by the Captain of the Port.

Dated: June 6, 2000.

G.N. Naccara,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-00-051]

RIN 2115-AE47

Drawbridge Operation Regulations: Atlantic Intracoastal Waterway, Miami, Dade County, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule with requests for comments.

SUMMARY: Commander, Seventh Coast Guard is temporarily changing the regulations of the N.E. 163rd Street (SR 826) bridge at Sunny Isles across the Atlantic Intracoastal Waterway, mile 1078.0 in Miami, Florida, until July 31, 2000. This temporary rule allows the N.E. 163rd Street (SR 826) bridge at Sunny Isles to maintain the south bascule leaf in the down position with a two hour advance notification to the bridge tender to provide a double leaf opening until July 31, 2000. This is necessary to allow for repairs.

DATES: This temporary rule is effective from June 7, 2000 to July 31, 2000. Comments must be received by June 30, 2000.

ADDRESSES: Comments and materials received from the public, as well as documents indicated in this preamble as

being available in the docket, are part of docket [CGD07-00-051] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Miami, Florida, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Dragon, Project Officer, Seventh Coast Guard District, Bridge Section, at (305) 415-6743.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. It was impracticable to publish an NPRM, because there was insufficient time remaining after we were notified of the dates of the repairs to follow normal rulemaking procedures.

Further, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. A delayed effective date is impracticable as repairs on the bridge are already underway.

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for the rulemaking [CGD07-00-051], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received. We may change this rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the address under **ADDRESSES**, explaining why one would be beneficial. If the Coast Guard determines that a public meeting would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Discussion of the Rule

The N.E. 163rd Street (SR 826) bridge at Sunny Isles, mile 1078.0, across the Atlantic Intracoastal Waterway, has a vertical clearance of 36 feet at mean

high water and a horizontal clearance of 90 feet between fenders. The existing operating regulations in 33 CFR 117.261(l) require the bridge to open on signal; except that from 7 a.m. to 6 p.m. on Monday through Friday, except Federal holidays, and from 10 a.m. to 6 p.m. on Saturdays, Sundays, and Federal holidays, the draw need open only on the quarter-hour and three-quarter hour.

The Florida Department of Transportation notified the Coast Guard on April 12, 2000, that the repairs to the north bascule leaf was to be completed by April 22, 2000, and that repairs were to commence on the south leaf, which would require a temporary rule. This temporary rule will allow the south leaf of the N.E. 163rd Street (SR 826) bridge at Sunny Isles in Miami, Florida, to remain closed until July 31, 2000, unless two hours advance notification is provided to the bridge tender requesting a double-leaf opening.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040: February 26, 1979). The Coast Guard expects the economic impact of this rule to be minimal because of the limited duration of the rule, as well as the provision for double leaf openings with advance notice.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we considered whether this rule will have a significant economic effect upon a substantial number of small entities. "Small entities" include small business, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities as the temporary rule will only delay a full opening of the drawbridge for a limited period of time.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-221), we offer to assist small entities in

understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. Small entities may contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding and participating in this rulemaking. We also have a point of contact for commenting on actions by employees of the Coast Guard. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or safety that may disproportionately affect children.

Environment

The Coast Guard has considered the environmental impact of this action and has determined under figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. From June 7, 2000 to July 31, 2000, § 117.261(ll) is suspended and a new paragraph (ss) is added to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

N.E. 163rd Street (SR826) bridge, mile 1078.0 at Sunny Isles. The draw shall open on signal; except that, from 7 a.m. to 6 p.m. on Monday through Friday except Federal holidays, and from 10 a.m. to 6 p.m. on Saturdays, Sundays, and Federal holidays, the draw need open only on the quarter-hour and three-quarter hour. The south leaf may remain in the closed position unless two hours advance notice for a double leaf opening is provided to the bridge tender.

Dated: June 7, 2000.

T.W. Allen,

Rear Admiral, Commander, Seventh Coast Guard District.

[FR Doc. 00-15324 Filed 6-16-00; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Parts 5 and 13

RIN 1024-AC58

National Park System Units in Alaska; Denali National Park and Preserve, Special Regulations

AGENCY: National Park Service, (NPS), Interior.

ACTION: Final rule.

SUMMARY: For the portion of Denali National Park and Preserve formerly known as Mount McKinley National Park (the Old Park) only, this rule establishes a definition for "traditional activities" as the term is used in Alaska National Interest Lands Conservation Act (ANILCA) section 1110(a) and related Department of the Interior regulations. The rule also applies this definition and determines that, for the Old Park only, prior to the enactment of ANILCA, no traditional activities took place during periods of adequate snow cover for which snowmachines (snowmobiles) may now be used. In addition, the rule implements the June, 2000 Statement of Finding: Permanent Closure of the Former Mt. McKinley National Park Area of Denali National Park and Preserve To The Use of Snowmachines and determines that any snowmachine use in the Old Park would be detrimental to the resource values of the area. The rule also consolidates, expands and codifies certain designations, closures and permit requirements for Denali National Park and Preserve, including requirements for vehicular traffic, vehicle use limits, and public health and safety. The rule also replaces the out-of-date references to "Mount McKinley National Park" with the Alaska National Interest Lands Conservation Act name "Denali National Park and Preserve."

EFFECTIVE DATE: July 19, 2000.

ADDRESSES: Superintendent, Denali National Park and Preserve, PO Box 9, Denali National Park, AK 99755. Attention: Ken Kehrer, Jr.

FOR FURTHER INFORMATION CONTACT: Ken Kehrer, Jr. at the above address or by calling 907-683-2294.

SUPPLEMENTARY INFORMATION:

Background

As used in this Rule, the term "Old Park" means the portion of Denali National Park and Preserve that was formerly known as Mount McKinley National Park. This Rule incorporates